

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA, )  
                                )  
Plaintiff,                 )       8:08CR56  
                               )  
vs.                         )       ORDER  
                               )  
TONY RAY MEDINA,           )  
HUMBERTO MARTINEZ-LOPEZ and  
JESUS TERRAZAS,            )  
                               )  
Defendants.                )

This matter is before the court on the motion for an extension of time by defendant Tony Ray Medina (Medina) (Filing No. 35). Medina seeks additional time in which to file pretrial motions in accordance with the progression order (Filing No. 29). Medina's counsel represents that Medina will file an affidavit wherein he consents to the motion and acknowledges he understands the additional time may be excludable time for the purposes of the Speedy Trial Act. Medina's counsel represents that government's counsel has no objection to the motion. Upon consideration, the motion will be granted and the pretrial motion deadline will be extended **as to all defendants**.

**IT IS ORDERED:**

Defendant Medina's motion for an extension of time (Filing No. 35) is granted. **All defendants** are given until **on or before April 16, 2008**, in which to file pretrial motions pursuant to the progression order. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendants in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **March 14, 2008 and April 16, 2008**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason defendants' counsel require additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED this 14th day of March, 2008.

BY THE COURT:

s/Thomas D. Thalken  
United States Magistrate Judge